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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/601,998
	Filing Date	June 23, 2003
	First Named Inventor	Timothy J. Boyd
	Art Unit	3728
	Examiner Name	Shian T. Luong
Total Number of Pages in This Submission	Attorney Docket Number	8330-000244/DVA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Return Receipt Postcard</b>
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Stanley M. Erjavac	Reg. No. 38,442
Signature			
Date	May 28, 2004		

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EV 406 075 365 US



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/601,998  
Filing Date: June 23, 2003  
Applicant: Timothy J. Boyd  
Group Art Unit: 3728  
Examiner: Shian T. Luong  
Title: Closure And Container Combination For Reducing  
Headspace Gas  
Attorney Docket: 8330-000244/DVA

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Director of the United States Patent  
and Trademark Office  
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**RESPONSE TO ELECTION/RESTRICTION  
AND PRELIMINARY AMENDMENT**

Dear Sir:

In response to the Election/Restriction Notice mailed May 17, 2004,  
Applicant requests the Examiner to consider the following amendments and remarks.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.